

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ALAN RODGERS,

Plaintiff,

v.

THURSTON COMMUNITY
TELEVISION, et al.,

Defendants.

CASE NO. C14-5735 RBL

ORDER DENYING APPLICATION
TO PROCEED IFP

THIS MATTER is before the Court on Plaintiff Rodgers' application to proceed *in forma pauperis* [Dkt. #1] Rodgers seeks to sue Thurston County Community Television for sexual harassment, and for back wages based on his claim that he was at some point an employee (and not a volunteer, though he concedes he began working there as a volunteer). He also seeks to sue the EEOC and the Washington Human Rights Commission, apparently for failing to find that he was harassed. He seeks the EEOC's and the Commission's investigation reports concerning his harassment claim.

A district court may permit indigent litigants to proceed *in forma pauperis* upon completion of a proper affidavit of indigency. *See* 28 U.S.C. § 1915(a). The court has broad discretion in resolving the application, but "the privilege of proceeding *in forma pauperis* in civil

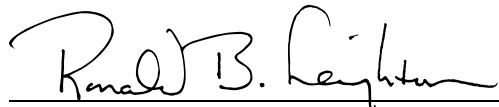
1 actions for damages should be sparingly granted.” *Weller v. Dickson*, 314 F.2d 598, 600 (9th
2 Cir. 1963), *cert. denied* 375 U.S. 845 (1963). Moreover, a court should “deny leave to proceed
3 *in forma pauperis* at the outset if it appears from the face of the proposed complaint that the
4 action is frivolous or without merit.” *Tripati v. First Nat’l Bank & Trust*, 821 F.2d 1368, 1369
5 (9th Cir. 1987) (citations omitted); *see also* 28 U.S.C. § 1915(e)(2)(B)(i). An *in forma pauperis*
6 complaint is frivolous if “it ha[s] no arguable substance in law or fact.” *Id.* (citing *Rizzo v.*
7 *Dawson*, 778 F.2d 527, 529 (9th Cir. 1985); *Franklin v. Murphy*, 745 F.2d 1221, 1228 (9th Cir.
8 1984).

9 Plaintiff’s claim does not currently meet this standard. He has not identified the source of
10 this court’s jurisdiction over his claims, the statutory or other basis for them, or the actual factual
11 basis for the claims—the “who, what, when, where and why” of either his harassment claim or
12 his wage claim. *See* Fed. R. Civ. P. 8. Nor has he presented any legal basis for his claims
13 against the EEOC or the Human Rights Commission, or for the relief he seeks from those
14 entities.

15 Plaintiff is not yet entitled to *in forma pauperis* status. He shall pay the filing fee, or file
16 an amended complaint addressing these deficiencies within 15 days of this Order, or the
17 complaint will be dismissed without further notice.

18 IT IS SO ORDERED.

19 Dated this 23rd day of September, 2014.

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22 RONALD B. LEIGHTON
23 UNITED STATES DISTRICT JUDGE
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